

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**SCOTT FRAKES,**

Plaintiff,

-vs-

**Case No: 19 CV 637**

**MESSERLI & KRAMER, P.A.,**

Defendant.

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**PLAINTIFF'S PRETRIAL DISCLOSURES**

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Pursuant to Rule 26(a)(3) of the Federal Rules of Civil Procedure, plaintiffs hereby make the following disclosures.

**I. Witnesses Expected to Be Presented:**

- A. Plaintiff Scott Frakes.
- B. Attorney James Kachelski, c/o Defendant Messerli & Kramer
- C. Attorney Derrick Weber, c/o Defendant Messerli & Kramer.
- D. Taylor Chantes, c/o plaintiff's counsel.
- E. Records custodian of Affiliated Clinical Services, Inc. 111, E. WASHINGTON ST. WEST BEND, WI 53095. (262) 338-2717.

**II. Witnesses who may be called if necessary:**

- A. Plaintiff reserves the right to call any witness named by any other party in this action.

### **III. Exhibits Expected to Be Offered:**

1. Written discovery responses from Defendant in this action including documents produced therein:
  - a. Defendant's answers to plaintiff's interrogatories.
  - b. Cogent Attorney Training Guide
  - c. Claim Summary Dated December 11, 2019.
2. Small claims summons and complaint filed in Washington County case number 18 SC 1779.
3. Pro se answer filed in Washington County case number 18 SC 1779.
4. Discovery requests served upon Frakes in Washington County case number 18 SC 1779.
5. Frakes' *pro se* responses to discovery requests served upon Frakes in Washington County case number 18 SC 1779.
6. Motion for summary judgment and supporting materials filed by Messerli in Washington County case number 18 SC 1779.
7. Plaintiff's answers to defendant's written discovery requests in Washington County case number 18 SC 1779.
8. Affiliated Clinical Services' records from 2015 through 2020 for Scott Frakes.
9. Online court record printouts from Circuit Court Access Program detailing:
  10. James Kachelski's Wisconsin court filings from August 2 to August 31, 2018.
  11. James Kachelski's Wisconsin court filings on August 31, 2018.
  12. James Kachelski's Wisconsin court filings from September 1, 2018 to September 24, 2018.
13. James Kachelski's court hearing calendar for May 1 to May 28, 2019.

### **IV. Exhibits which may be offered.**

- A. Deposition of Derrick Weber and any exhibits thereto.
- B. Deposition of James Kachelski, and any exhibits thereto.

Dated: This 1<sup>st</sup> day of December, 2020.

**Lawton & Cates, S.C.**  
Attorneys for Plaintiff, Scott Frakes  
*Electronically signed by:*

/s/ Briane F. Pagel

Attorney Briane F. Pagel  
State Bar No. 1025514

P.O. Address:  
345 W. Washington Ave. Ste. 201  
P.O. Box 2965  
Madison, WI 53703  
P: 608.282.6200/F: 608.282.6252  
[bpagel@lawtoncates.com](mailto:bpagel@lawtoncates.com)